

UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
At Huntington

RE:

Case No. 10-30145

David Eaton & Sandra Renee Lake

Debtor(s)

MOTION FOR PAYMENT OF UNCLAIMED FUNDS

PNC Bank, National Association (“the Movant”) moves this Court for entry of an order directing the Clerk to remit to the movant the sum of \$9,144.00, which was deposited into the Treasury of the United States by Helen M. Morris Chapter 13 Trustee, as unclaimed funds for PNC Bank (“Claimant”).

Movant certifies, under penalty of perjury, that:

1. The funds on deposit with the Treasury of the United States are owed to the Claimant, pursuant to proof of claim #19 filed with the Clerk on 12/16/2013
2. The Claimant is:

PNC Bank, National Association
Attn: David L. Zive
1600 Market Street, 28th Floor
Philadelphia, PA 19103
215-585-6351
3. The funds sought have not been paid to the Claimant or to any agent on the Claimant's behalf. The funds were not deliverable at the time of original distribution because due to a reason unknown.
4. The claim has not/has been assigned to the claimant. If the claim has been assigned, copies of all documents evidencing the assignment are attached to this motion;
5. The Claimant does not believe/believes that any other party may be entitled to the funds. If the Claimant believes any other party may be entitled to the funds, include explanation
6. No other motion is pending for recovery of the same unclaimed funds.
7. X Movant is the Claimant. If the Claimant is an individual, a copy of the Claimant's driver's license or other photo identification is attached to this motion.

or

8. ☐ Movant has the authority to collect the funds on behalf of the Claimant, as shown by the attached Power of Attorney or other proof that the Movant is an authorized representative of the Claimant. If the Claimant is the Debtor in this case, copies of any contractual agreements containing the amount of compensation to be received by the representative are also attached to this motion.
- or
9. ☐ If the Claimant is deceased, certified copies of all probate documents are attached to this motion as proof of entitlement.

Parties may object by filing a written objection within twenty (20) days of the date of service of this motion. In the event no written objection is timely filed, the Court may enter an order granting the motion without further notice.

Dated: 8/18/14

/s/ Robert P. Simons

Robert P. Simons
Attorney for Movant - W.Va. I.D. 3411
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225 Fifth Avenue
Pittsburgh, PA 15222-2716
rsimons@reedsmith.com
412 288 3131

CERTIFICATE OF SERVICE
FOR
MOTION FOR PAYMENT OF UNCLAIMED FUNDS

I, the Movant(s), in this case, certify that I served both the attached motion and notice upon the following parties at the addresses listed, by mailing true copies of these documents by U.S. Mail, first class, postage prepaid, on the 18th day of August, 2014.

Office of the U.S. Attorney
Southern District of West Virginia
Post Office Box 1 71 3
Charleston, West Virginia, 25326

David Eaton & Sandra Renee Lake - Debtor(s)
303 Harbor Lane
Hurricane, WV 25526

Brian Richard Blickenstaff Counsel for Debtor(s)
216 Brooks St, Suite 200
Charleston, WV 25301

The United States Trustee and case trustee were served via the Court's electronic filing system.

Dated: 8/18/14

/s/ Robert P. Simons

Robert P. Simons
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